

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

AARON DAVIS,

Plaintiffs,

vs.

FOSTER FARMS DAIRY, et al.,

Defendants.

CASE NO. CV-F-05-0271 REC DLB

ORDER DIRECTING PLAINTIFF  
TO SUBMIT APPLICATION  
TO PROCEED IN FORMA  
PAUPERIS OR SUBMIT FILING FEE

Plaintiff is proceeding pro se with a civil action concerning employment discrimination in this Court. On February 24, 2005, the Court issued an Order directing plaintiff to file a second amended complaint within 30 days. The Court also directed plaintiff to either pay the filing fee for this action or submit a completed application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 within 30 days. After two extensions, plaintiff filed a second amended complaint on June 15, 2005. However, plaintiff has failed to pay the filing fee or submit an application to proceed in forma pauperis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk's Office shall send to plaintiff the form for application to proceed in forma pauperis.
2. Within twenty days of the date of service of this order, plaintiff shall submit a completed application to proceed in forma pauperis, or in the alternative, pay the filing fee for this

1 action. Failure to comply with this order will result in a recommendation that this action be dismissed.

2  
3 IT IS SO ORDERED.

4 **Dated: July 29, 2005**  
5 3c0hj8

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE